

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALEXANDER ROY SINCLAIR,

Petitioner,

v.

CLARK COUNTY PROSECUTOR'S
OFFICE et al.,

Respondents.

CASE NO. 3:22-cv-05161-DGE

ORDER

Presently before the Court is Petitioner's motion of notice on due process violation filed on September 13, 2022.¹ (Dkt. No. 17.) The motion was filed more than fourteen days after the Court adopted Magistrate Judge David Christel's Report and Recommendation. (*See* Dkt. No. 13.) As with Petitioner's previous filings, the motion lacks clarity, but appears to re-allege Petitioner's claims concerning ineffective assistance of counsel and violation of his right to a

¹ The Court notes that Petitioner has filed similar motions in two other cases before this Court. *See Sinclair v. Clark County Courthouse et al.*, 3:22-cv-05223-DGE, Dkt. No. 15 (W.D. Wash. 2022); *Sinclair v. Fairgrieve*, 3:21-cv-05744-LK, Dkt. No. 23 (W.D. Wash. 2022).

1 speedy trial. (*Id.*) Petitioner also appears to dispute Judge Christel’s findings in a related case
2 and makes several new claims concerning his apparent transfer to the Sacramento County Jail.
3 (*Id.*)

4 Because Petitioner re-states his prior claims and appears to challenge the Court’s
5 findings, the Court construes Petitioner’s motion as a motion for reconsideration. Local Civil
6 Rule 7(h)(1) provides:

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8 Motions for reconsideration are disfavored. The court will ordinarily deny such
9 motions in the absence of a showing of manifest error in the prior ruling or a
showing of new facts or legal authority which could not have been brought to its
attention earlier with reasonable diligence.

10 In addition, a motion for reconsideration must be filed “within fourteen days after the order to
11 which it relates is filed.” LCR 7(h)(2).

12 The Court finds that the motion is untimely. Moreover, Petitioner has failed to establish
13 a manifest error in the prior ruling, and has not presented any new facts or legal authority that
14 would impact the Court’s decision. Accordingly, Petitioner’s motion (Dkt. No. 17) is DENIED.

15 Dated this 11th day of October, 2022.

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David G. Estudillo
United States District Judge